

REMARKS

In the Official Action mailed on **September 29, 2004**, the Examiner reviewed Claims 1-21. Claims 1, 4, 8, 11, 15, and 18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Summer, Jr. et al (USPN 4,414,624, hereinafter "Summer"). Claims 2, 9, and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Summer in view of Cutler et al (USPN 5,752,031, hereinafter "Cutler"). Claims 3, 5-7, 10, 12-14, 17, and 19-21 were rejected under 35 U.S.C. §103(a) as being unpatentable over Summer in view of Applicants' admitted prior art (hereinafter "APA").

Rejections under 35 U.S.C. §103(a)

Dependent claims 4, 11, and 18 were rejected as being unpatentable over Summer. Applicant respectfully points out that Summer teaches **timing a task** with a task time (see Summer col. 14, lines 32-36) and when more than one task is ready to run, allowing the task with the **highest priority to run** (see Summer, col. 15, lines 17-20).

In contrast, the present invention **changes the thread's (task's) scheduling policy** from round-robin to first-in, first-out (see paragraph [0023] of the instant application). This is beneficial because unlike round-robin (in which a thread takes turns running time slices with other threads) a first-in, first-out policy allows the thread to run to completion before switching to another thread. There is nothing within Summer, either explicit or implicit, which suggests changing the thread's scheduling policy from round-robin to first-in, first-out.

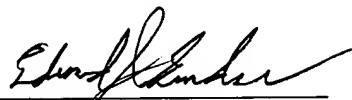
Accordingly, Applicant has amended independent claims 1, 8, and 15 to clarify that the present invention changes the thread's scheduling policy from round-robin to first-in, first-out. These amendments find support in paragraphs [0022]-[0023] of the instant application. Dependent claims 4, 11, and 18 have been canceled without prejudice.

Hence, Applicant respectfully submits that independent claims 1, 8, and 15 as presently amended are in condition for allowance. Applicant also submits that claims 2-3 and 5-7, which depend upon claim 1, claims 9-10 and 12-14, which depend upon claim 8, and claims 16-17 and 19-21, which depend upon claim 15, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

By 
Edward J. Grundler
Registration No. 47,615

Date: October 8, 2004

Edward J. Grundler
PARK, VAUGHAN & FLEMING LLP
508 Second Street, Suite 201
Davis, CA 95616-4692
Tel: (530) 759-1663
FAX: (530) 759-1665